

REMARKS/ARGUMENTS

Claims 1, 4-11 and 13-33 are pending in the application. The Examiner has objected to claims 1 and 24. Applicant has amended claim 1. The Examiner has rejected claims 10, 11, and 13-33. Applicant has canceled claims 10, 11, and 13-33. The Examiner has allowed claims 1 and 4-9. Applicant respectfully requests reconsideration of claims 1 and 4-9.

The Examiner has objected to claims 1 and 24. The Examiner suggests an amendment to claim 1 for consistency. Applicant amends claim 1 in accordance with the Examiner's suggestion. Applicant notes the Examiner does not allege any statutory deficiencies as to claim 1 and, in fact, has allowed claim 1. Thus, Applicant submits the amendment to claim 1 is merely cosmetic, does not narrow the scope of claim 1, and is not made for a reason of patentability. Thus, Applicant submits claim 1 remains allowable. Applicant has canceled claim 24.

The Examiner has rejected claims 19, 20, 26, and 27 under 35 U.S.C. §102(e) as allegedly being anticipated by Goudreau (US Patent No. 6,940,862 B2). Applicant has canceled claims 19, 20, 26, and 27.

The Examiner has rejected claims 10-15, 18, 21, 23-25, 28, and 30-33 under 35 U.S.C. §103(a) as allegedly being unpatentable over Goudreau (US Patent No. 6,940,862 B2) in view of RFC 2474 ("Definition of the Differentiated Services Field (DS Field) in the IPv4 and IPv6 Headers"). Applicant has canceled claims 10-15, 18, 21, 23-25, 28, and 30-33.

The Examiner has rejected claims 16, 17, 22 and 29 under 35 U.S.C. §103(a) as allegedly being unpatentable over Goudreau (US Patent No. 6,940,862 B2) in view of RFC 2475 ("Architecture for Differentiated Services"). Applicant has canceled claims 16, 17, 22, and 29.

The Examiner has allowed claims 1 and 4-9. Applicant submits claims 1 and 4-9 remain allowed.

In conclusion, Applicant has overcome all of the Office's rejections, and early notice of allowance to this effect is earnestly solicited. If, for any reason, the Office is unable to allow the Application on the next Office Action, and believes a telephone interview would be helpful, the Examiner is respectfully requested to contact the undersigned attorney.

Respectfully submitted,

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Date



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